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**Minutes of the Regular Meeting of The
New Jersey Maritime Pilot and Docking Commission
March 21, 2017**

The regular meeting of the New Jersey Maritime Pilot and Docking Pilot Commission was held on Tuesday, March 21, 2017 at One Penn Plaza East, Board Room, Newark, NJ 07105.

Commissioner Dacey called the meeting to order at 10:12 AM.

Open Public Meeting Statement

Pledge of Allegiance

Roll Call

Commissioner Timothy J. Dacey (present) ; Commissioner Brian McEwing (present) ; Commissioner Jacob Shisha (present); Commissioner Charles Wowkanech (present).

Approval of the February 21, 2017 regular meeting minutes

A motion was made by Commissioner Shisha and seconded by Commissioner Wowkanech to approve the February 21, 2017 meeting minutes. All voted in favor.

Resolution #17-09 to approve the March 21, 2017 Treasurers Report

A motion was made by Commissioner Shisha and seconded by Commissioner Wowkanech to pass Resolution #17-09 to approve the March 2017 Treasurers Report. All voted in favor.

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Executive Director's Report

- A. Hudson River Update - The Commission has not received any reports of any transport jobs on the Hudson River since their last meeting.
- B. Quarterly Staff Meeting - Ms. Stuckey had her quarterly staff meeting with the investigators on February 28, 2017. They discussed the ULCV's that will be entering the port and the possibility of an increase in occurrences for the first transits. They also discussed the possibility of each of them attending one day of the simulation exercises to help them better understand the limitations and parameters that will be set. Ms. Stuckey discussed this situation with Captain Oldmixon, and he is setting up a session for port administrators to attend. Ms. Stuckey will try and get the investigators down to MITAGS at that time. Ms. Stuckey reports that the investigators have been having issues with the laptops they were issued and the Commission may need to think about replacing them.
- C. Kinder Morgan - Ms. Stuckey reported that during last month's meeting, Captain Oldmixon mentioned that Kinder Morgan is trying once again to reinstate the policy in which the pilots are required to wear gloves, goggles, safety hats and steel tipped shoes. Ms. Stuckey pulled out the file from the archives and reviewed all the communications. The Commission had been in touch with the Regional Manager and expressed their concerns and the safety issues that would be caused by the pilots wearing steel tipped shoes, etc. Ms. Stuckey had a conversation with Captain Oldmixon and he requested that she give him the opportunity to work things out before the Commission gets involved.
- D. Simulation Exercises - Ms. Stuckey traveled to MITAGS on May 21 through May 23, 2017 to observe the simulation exercises. She was very impressed at the work that went into setting the exercises up. Even though a lot of parameters are being put in place, she feels there may be some growing pains when the pilots get on the actual vessels.

- E. Annual Report - Ms. Stuckey is working on the annual report and was hoping to have it completed for the March 21, 2017 meeting. She has one more article to write and is still waiting on information from some of the pilot groups. This year, the report is 32 pages, which is the longest report to date. Ms. Stuckey has tried to make it reader friendly to encourage the receiver to actually read it. She is hoping to get a draft out to the Commissioners for comments within the next week or two before she submits it to the Authorities Unit for final approval.
- F. Harbor Ops - The Harbor Ops meeting was cancelled last week, due to the weather.
- G. Maritime Pilot Monthly Apprentice Training report - Ms. Stuckey provided a copy of the monthly apprentice training report from Chris Manglin.
- H. Chris Manglin is hosting his first educational cruise on April 6, 2017 on the Hackensack and Passaic Rivers. The pilot boat will depart Edgewater at 3pm and return at 10pm. Any Commissioners interested in attending, should notify Ms. Stuckey ASAP.
- I. Bayonne Bridge Update - The Port Authority was supposed to make an announcement on February 28, 2017 regarding the new date for navigational clearance. They have cancelled the announcement, because they don't want to commit to anything until they are absolutely sure they can meet the proposed date. The new roadways are currently open and demolition of the existing deck has already begun.
- J. Pension Surcharge Committee Meeting - The Commission will host the Pension Surcharge Committee meeting at 1pm today. Commissioner Shisha and Ms. Stuckey will attend and he will report to the Commission at the April, 2017 meeting.
- K. Audit Committee Meeting - Immediately following today's meeting, there will be an Audit Evaluation Committee meeting. Attendees will be Commissioner Dacey, Commissioner McEwing, and Ryan Feeney from the office of the Treasury. The focus of the meeting is to set parameters for receiving audit quotes.
- L. Harbor School Annual Dinner - Ms. Stuckey attended the Harbor School's annual dinner. Captain Timothy Ferrie was

honored on behalf of the Marine Society. The dinner was well attended.

M. Marine Society Annual Dinner - The Marine Society's annual dinner is scheduled for April 3, 2017. Ms. Stuckey will attend. If any of the Commissioners are interested in attending, please advise Ms. Stuckey ASAP and she will make the necessary arrangements.

N. The Maritime Association's Hall of Fame awards dinner is scheduled for May 10, 2017. Ms. Stuckey plans to attend and will take Mr. Hawkins to introduce him to some of the people who work within the industry. If any of the Commissioners are interested in attending, please advise Ms. Stuckey ASAP and she will make the necessary arrangements.

O. Ms. Stuckey provided a copy of the New York Commission's Opinion and Order on the Hoegh Trident. The New Jersey Commission's pilot has accepted the conditions of their Opinion and Order, therefore this file is closed.

P. Articles of Interest :

- Port Authority - The simulation exercises and how they the port can handle the ULCV's.
- Port Authority - The record number of containers in January that were processed in January 2017.
- Maritime Executive - The ports apprehension over the cuts expected from the President's 2018 budget.

Public Comment (s)

Comment from Captain Louis Bettinelli, President, Interport Pilots Association:

Captain Bettinelli expressed his desire to have the monthly meeting agenda distributed to himself and Captain Woodworth, who will attend the meetings in his place from time to time. He also asked the Commission to consider posting the agenda on the Commission's website so that the pilots can use the agenda as a resource. Commissioner Dacey states that the Commission will take his request under consideration and will discuss the matter with Ms. Stuckey.

Comment from Ed Kelly, Executive Director, Maritime Association:

Mr. Kelly reports that the 50ft channel is now deeper, but not necessarily wider. The geography of the channel has changed, and the current meter on Bergen Point was removed during the construction period and has not been replaced. With Bergen Point being the key to the new ULCV's, the Harbor Ops Standing Committee is trying to get that current meter replaced.

Mr. Kelly reports that the anchorages are still pending, because the Coast Guard is still in their review period.

Committee Report

A. Investigation Committee :

- I. **Spirit of Tokyo** - Based on the investigators report, Ms. Stuckey recommended that the Commission find no fault on the pilots and the file closed. A motion was made by Commissioner Shisha and seconded by Commissioner Wowkanech to accept the recommendations. All voted in favor.

Presentation of Plaque to Captain Daniel Blair

Commissioner Dacey presented Captain Blair with a certificate of retirement. Captain Blair thanked the Commission for honoring him.

Resolution #17-08 to Approve the FY16 Audit

A motion was made by Commissioner Shisha and seconded by Commissioner Wowkanech to approve Resolution #17-08 FY16 Audit. All voted in favor.

Ms. Stuckey pointed out that it is a clean audit.

Resolution #17-10 to Approve the Re-adoption of the Commissions Regulations with Amendments

A motion was made by Commissioner Shisha and seconded by Commissioner Wowkanech to approve Resolution #17-10 the Re-adoption of the Commissions Regulations with Amendments. All voted in favor.

Resolution #17-11 to Approve the Docking Pilot Apprentice Selection List

A motion was made by Commissioner Shisha and seconded by Commissioner Wowkanech to approve Resolution #17-11 the Docking Pilot Apprentice Selection List. All voted in favor.

Ms. Stuckey advised the Commission that she has already received a request from Interport to call Craig Tomalo from the list once it becomes effective. Also, the two applicants that were waiting to sit for their first piece of pilotage have successfully done so.

Executive Session

WHEREAS, the open Public Meetings Act provides that a public body such as The New Jersey Maritime Pilot and Docking Pilot Commission may meet in closed session to discuss legal and personnel matters, and

WHEREAS, the Commission desires to meet in closed session to discuss such matters.

NOW THEREFORE, be it resolved that the Commission shall at this time meet in closed session to discuss such matters the substance of the closed session would be disclosed publicly only if it would not warrant an invasion of privacy or constitute a breach of the attorney client privilege.

A motion was made by Commissioner Shisha and seconded by Commissioner Wowkanech that the Commission goes into Executive Session.

All voted in favor.

The Commission went into Executive Session at 10:42 AM.

Return to Public Session

A motion was made by Commissioner Shisha and seconded by Commissioner Wowkanech that the Commission return to Public Session.

All voted in favor.

The Commission returned to Public Session at 11:51 AM.

Resolution #17-12 to Approve the Upgrade of Captain Michael Chambers

A motion was made by Commissioner Shisha and seconded by Commissioner Wowkanech to pass Resolution #17-12 to approve the upgrade of Captain Michael Chambers to a Pilot of Third Grade. All voted in favor.

Adjournment

A motion was made by Commissioner Shisha and seconded by Commissioner Wowkanech that the meeting be adjourned. All voted in favor.

The meeting was adjourned at 11:52 AM.

Executive Session
March 21, 2017

Discussion on Simulation Exercises at MITAGS

Ms. Stuckey began the discussion by informing the Commission of her displeasure in the e- pilot portion of the simulation exercises. There were really no interaction between the docking pilot and the maritime pilot.

After discussion, the Commission advised Ms. Stuckey to work with New York to set up parameters for a pilot exchange and the ULCV's.

Discussion on Pot Authority Meeting for Harbor Master Position

Ms. Stuckey reported that Assistant Counsel, Thomas Huth spoke to the Authorities Unit representative for the Port Authority and this item is not on their agenda. Her concern is that the pilots will try to surcharge the vessels to fund the Harbor Master position. She recommends that the Commission does not support a Harbor Master position at this time nor any surcharge assessed by the pilot groups to fund it.

After discussion, Commissioner Dacey recommended that Mr. Huth, Ms. Stuckey and the Port Authority representative arrange a conference call, to ensure all parties are on the same page.

Discussion on Captain Doug Einhorn Status

Ms. Stuckey reported that Captain Einhorn has not officially resigned from the Sandy Hook Pilot Association and is still out on disability leave. Captain Einhorn was scheduled for a pilot upgrade, but she recommends that his license be suspended at the current grade. Once a decision is made regarding his intentions, the issue can be revisited.

Discussion on Captain Michael Chambers

Ms. Stuckey reported that Captain Chambers is scheduled for an upgrade, but he is not present for the meeting because he is at MITAGS for the simulation exercises. She has reviewed his file and advised that the Commission approve the upgrade. He will attend the April 18, 2017 meeting.

Discussion on Captain Robert Ireland

Ms. Stuckey reported that Captain Ireland was not in attendance for his annual appearance, because he had a hearing in New York for a grounding on the Hudson River. He will attend April 18, 2017 regular board meeting.

Appearance of Pilots

Captain John Schnepf - Docked/Undocked/Moved 274 vessels. All licenses are up to date. Pilot's Physician Certification form was complete. Pilot received signed physician statements indicating he is competent for duty. Absent 12 days.

Captain Schnepf reports that he had a good year. He states that he will attend MITAGS for the simulation exercises next month.

Captain Douglas Brown - Docked/Undocked/Moved 318 vessels. All licenses are up to date. Pilot's Physician Certification form was complete. Pilot received signed physician statements indicating he is competent for duty. Absent 0 days.

Captain Brown reports that he does not plan on retiring, but he will become a half share pilot.

Ms. Stuckey reminded Captain Brown to make sure he monitors his trips to insure he keeps recency, and send her a monthly report.

Captain John Oldmixon - Docked/Undocked/Moved 123 vessels. All licenses are up to date. Pilot's Physician Certification form was complete. Pilot received signed physician statements indicating he is competent for duty. Absent 0 days.

Commissioner Dacey asked Captain Oldmixon his thoughts on simulation exercises at MITAGS.

Captain Oldmixon states that he has received a lot of good feedback from the pilots and he believes that once they master the simulator, things will get better.

Ms. Stuckey states that when she went to MITAGS, she didn't get the opportunity to experience the e-pilot simulation.

Captain Oldmixon states that when constructing the simulation exercises, they could not decide how much interaction between Docking and Maritime pilots was sufficient. So they decided to leave things as they were.

Commissioner Dacey states that the Commission's concern is with the size of the new ships, things can go wrong very quickly.

Commissioner Shisha states that the Commission's expectations were to follow the west coast's model in regards to the simulation exercises.

Captain Oldmixon informed the commission that he believed that eventually the simulation exercises will meet those expectations.

Captain Nils Tribus - Docked/Undocked/Moved 115 vessels. All licenses are up to date. Pilot's Physician Certification form was complete. Pilot received signed physician statements indicating he is competent for duty. Absent 112 days.

Captain Tribus reports that he has had a good year. He states that he would have enjoyed MITAGS much more had he got the opportunity to do some simulations as a docking pilot. He believes that the docking pilots were distracted by the e-pilot simulation exercises. He feels his perspective is different than that of other pilots, because he has done both jobs.

Captain Tribus also reported that he is only required to do recency trips once every 45 days on the Hudson River.

Captain Timothy Nilson - Docked/Undocked/Moved 369 vessels. All licenses are up to date. Pilot's Physician Certification form was complete. Pilot received signed physician statements indicating he is competent for duty. Absent 0 days.

Captain Nilson reports that he had a good year. He also reports that he hopes that they will take on two apprentices very soon.

Captain Michael Vanek - Docked/Undocked/Moved 132 vessels. All licenses are up to date. Pilot's Physician Certification form was complete. Pilot received signed physician statements indicating he is competent for duty. Absent 0 days.

Captain Vanek reports he had a very good year and his previously injured ankle is doing very well. He also reported that he has gone to MITAGS for the simulation exercises and he believes that the real thing will be a true indication on how to handle the ULCV's.

Return to Public Session

A motion was made by Commissioner Shisha and seconded by Commissioner Wowkanech that the Commission return to Public Session. All voted in favor.

The commission returned to Public Session at 11:51 AM.